

Defendants.

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CIVIL ACTION
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No. 13-2826
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- Summary judgment is **DENIED** as to Count I (excessive force) against all Defendant police officers;
- Summary judgment is **GRANTED** as to Count I in favor of the Defendant Boroughs;
- Summary judgment is **GRANTED** as to Count III (Monell liability) in favor of the Defendant Boroughs;

- Summary judgment is **DENIED** as to Count V (assault and battery) against Officers McGrenera and Burns;
- Summary judgment is **GRANTED** as to Count VII (intentional infliction of emotional distress) in favor of all Defendants;
- Summary judgment premised on qualified immunity is **DENIED**.

It is further **ORDERED** that a teleconference will be held on **Thursday, January 21, 2016 at 2:30 p.m.** to discuss a trial schedule and other pretrial matters. Counsel for Plaintiff shall initiate the conference call with defense counsel prior to calling chambers.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.